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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/723,633

11/28/2000

Koji Kita

00852/LH

8393

1933

7590

09/07/2004

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC  
767 THIRD AVENUE  
25TH FLOOR  
NEW YORK, NY 10017-2023

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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DATE MAILED:

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**Commissioner for Patents**

# Office Action Summary

Application No.

09/723,633

Applicant(s)

KITA ET AL.

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-13, 17-19, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 5-9, 14-16, 20, 21, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/22/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 10-13, 17-19, & 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Lo et al (5911044).

Re claims 1-2, 12-13, 17-19, & 22-23, Lo et al discloses (Figure 3; column 6, line 41 - column 8, line 20) an image reader 144 that generates image data by optically scanning a document. This image data is then stored as an image on a scanner server computer 130. The scanner server computer stores, along with the images, header data (column 8, lines 34-41: table 150 containing index field 152, process ID data 154) and job data corresponding to a property of an image-forming job (column 8, line 49 - column 9, line 24: table 160 containing parameters such as image file name 168 and scanning parameters 170). This data is then transferred to a client computer 102 via a first network interface 132 and a second network interface 108. This image and job management data is then stored in file storage 110

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under the control of file catcher 112, and may be stored in a selected directory (column 22, lines 17-21).

Re claims 3-4, Lo et al describes (column 6, lines 46-49) a client computer 102 containing "any commercially available application program which acquires images" 104. In the case where a commercially available image editing program (which necessarily is capable of saving the resulting edited image if it is to serve its function), the portion of the client computer which stores and runs this software edits the image data and stores the resulting edited image data.

Re claims 10-11, Lo et al discloses (column 8, lines 3-8) that client computer 102 can transmit a command signal to control an image transfer request.

***Allowable Subject Matter***

3. Claims 5-9, 14-16, 20-21, & 24-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 5, 14, 20, & 24 (and dependent claims 6-9, 15-16, & 25), the art of record does not teach or suggest the recited

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transmission of image data and job management data to an image-forming apparatus in a unit of an image-forming job.

Re claim 21, the art of record does not teach or suggest the recited format conversion of image data and job management data stored in a directory in association with the recited image forming arrangement.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.


If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

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Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

Hand-carried or courier-delivered correspondence pertaining to this application should be directed to

US Patent and Trademark Office  
220 South 20<sup>th</sup> Street  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington VA 22202

  
Stephen M Brinich  
Examiner  
Art Unit 2624

smb  
August 30, 2004